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isolated and comparatively unimportant instances an absolute veto; in the majority of cases it had a suspensive veto,[1] and in a small number of extremely important cases, concerned with financial matters, it had no veto at all.[2] It had little control over the Government. It could, as the National Council, inquire into the Government's conduct of business.[3] But it could not, by a withdrawal of confidence, cause the dismissal of the Government.[4] In any case, it was possible for the National Council to exercise an indirect control over its composition, because, owing to a mistake in drafting, the Federal Council did not possess an absolute veto right in regard to alterations to Article 34, dealing with representation of the Provinces in the Federal Council. Provided that the requisite majority could be obtained in the Federal Council, the Government, which was the tool of the National Council, could dissolve a Provincial Council and thereby remove its representatives from the Upper House.

The President, whose functions were not intended to be other than decorative, was elected by the Federal Assembly;[5] the National Council could take the initiative in calling the Federal Assembly together to impeach him.[6] He was the servant of the National Council, not its master.

But the sovereignty of the National Council comes to the foremost clearly in the provisions made to ensure its control over the Government. Article 70, (1), decrees that the Government shall be chosen by the National Council, voting upon the proposal laid before it by the Chief Committee.[7]

[1] Article 42, (4). [2] Article 42, (5). [3] Article 52
[4] Article 74, (1). [5] Article 60. [6] Article 63, (2).

[7] 'Die Bundesregierung wird vom Nationalrat in namentlicher Abstimmung auf einen vom Hauptausschuss zu erstattenden Gesamtvorschlag gewählt.' This article might, however, suggest that the National Council had a more absolute control over the personnel of the Government than was actually the case. By Article 72, (2), for instance, it was stipulated that the list of ministers should be countersigned by the new Chancellor. Therefore, in fact, this meant that the Chancellor chose his own colleagues although his choice was subject to the approval of the National Council. Kelsen remarks: 'Die . . . Bestimmung, dass der neugewählte Bundeskanzler die Bestellungsurkunden aller Mitglieder der Regierung gegenzuzeichnen hat, hat praktisch die grosse Bedeutung, dass kein Mitglied des neuen Kabinettes gegen oder ohne den Willen des präsumtiven Bundeskanzlers berufen werden kann.' (*Die Verfassungsgesetze der Republik Österreich*, vol. v, p. 168.)

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the growth of federalism, and so simplify the structure of government, had actually contributed further to this end.[1] The number of officials was to some extent curtailed by the 1929 reforms. The National Council was reduced from one hundred and sixty-five to one hundred and twenty members,[2] and the Provincial Councils were limited in proportion to the number of citizens in the Province.[3] The cost of administration in general was cut down. But Schober announced after the passage of the Bill that he was still far from satisfied in this respect. The fact that the constitution of 1920 was, in any case, too expensive and too complicated to be worked satisfactorily by a people inexperienced in the art of self-government was not, however, generally grasped,[4] and the constitution emerged after the reforms if anything more complicated than it had been before.

One of the chief aims of the reforms was to strengthen the executive. The power of the President, hitherto little more than a figurehead, was therefore greatly extended, chiefly at the expense of the National Council.[5] Schober made use of the suggestions put forward by the Pan-Germans at Salzburg in 1920, by the Christian Socialists since the beginning of 1928, and by the *Landbund* in a memorandum addressed to Steeruwitz on 31 August 1929.[6] In the main the new proposals followed the German model. The President's term of office was extended from four to six years; and direct election was substituted for indirect. The Christian Socialists maintained firmly that this was the more democratic method.[7] The device

[1] Thirteen different kinds of jurisdiction were now recognized, instead of the four envisaged by the constitution of 1920. Kelsen remarks that 'die Folge davon . . . ist, dass die Verteilung der Kompetenzen zwischen Bund u. Ländern ein überaus kompliziertes Bild der verschiedensten Rechtsfiguren zeigt'. (*Jahrbuch des öffentlichen Rechts*, vol. xviii, pp. 133–4.)

[2] A result of the restriction of the franchise to those over twenty-one years of age.

[3] B. G. Bl. Nr. 393, Article 95, (4).

[4] The Social Democrats, for instance, proposed a wider use of the Referendum, by which every bill should be submitted to the people, if one-third of the National Council so desired, or if 300,000 electors so requested. (*Pester Lloyd*, 10 October 1929.)

[5] Articles 60–7. The idea of a strong government was still suspect.

[6] Malbone W. Graham, 'Constitutional Crisis in Austria', *American Political Science Review*, vol. 24, 1930.

[7] *Reichspost*, 22 October 1929. Seipel, ibid., 19 October 1929.

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642 643 adopted was, however, not unexceptionable. Election was compulsory and, if no candidate succeeded in gaining an absolute majority in the first count, only the two parties having the largest number of votes in the first count could nominate candidates for the second. Since these could then nominate new candidates there was nothing to prevent parties that had gained a large number of votes, by putting up moderate candidates, from confronting the people with extremists in the second count.[1]

642 643 644 The power of the President over the Government and the National Council was considerable. The President, and not the Chief Committee, now appointed the former, although the confidence of the National Council was still necessary.[2] The President could dissolve the National Council, with the assent of the Government. But he could only do this once for the same reason; and fresh elections had to be held within ninety days.[3] During this period, however, the Government could carry on in virtue of its right to issue ordinances.[4]

In general, the principle of parliamentary rule was much weakened by the fact that it was now assumed that Parliament was not a permanent body. The President had to assemble it in the spring and the autumn. It was laid down that the spring sitting should last for at least two months, but that it could not continue after 15 June. The autumn session had to be for at least four months, but it could not begin until after 15 October.[5] It was envisaged as a possibility, therefore, that the National Council would not be in session for more than six months of the year. Committees could, however, be entrusted with carrying on the work when it was not in session.[6] And it was provided that it should be reassembled should a third of the Upper or Lower House so demand. In this case, it had to be summoned within two weeks for an extraordinary session.[7]

The power of the National Council over the budget also

[1] The original proposal had been that the President should be directly elected, but that the verdict might be revised by the two legislative chambers. (*The Times*, 15 October 1929.)

[2] Articles 70, (2), and 74, (1). [3] Article 29.

[4] Article 18, (3). [5] Article 28, (1). [6] Article 28, (4).

[7] Article 28, (2).

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declined. The original proposal had been that, if the budget were not voted at the right time, the provisions of the previous year should hold good. Eventually, however, this period was limited to eight weeks.[1]

The corollary of these limitations placed upon the power of the hitherto omnipotent National Council was the legislative power now entrusted to the President. Kelsen remarks, for instance, on the importance of the new ordinance right.[2] This innovation was regarded with the deepest suspicion by the Social Democrats, who saw in it an attempt to resuscitate the famous Paragraph 14 of Imperial days. Schober, however, solemnly asserted that nothing of this kind was intended. He pointed out that it had been found necessary to entrust the executive with the right to issue ordinances in certain circumstances in most other democratic countries, as France, England, Ireland, Czechoslovakia, etc. The Social Democrats, however, wanted this power to be made over to the Chief Committee and liberal opinion disapproved strongly of the whole arrangement.[3] Eventually, a compromise was reached by which all ordinances issued by the President required the immediate assent of a sub-committee of the Chief Committee, and the assent, within a month, of the National Council, which had to be summoned to consider them within eight days.[4] Ordinances could not change constitutional laws, impose permanent financial burdens, or alienate State property. It was further provided that ordinances should only be issued in

[1] Article 51, (3).

[2] Kelsen, *Jahrbuch des öffentlichen Rechts*, vol. xviii, p. 141: 'Im innigsten Zusammenhang mit der Einschränkung der Parlamentsfunktion steht die sehr einschneidende Reform, die das Verordnungsrecht einführt.'

[3] *Frankfurter Zeitung*, 10 October 1929: 'Die Minorität würde so stets unter Druck gesetzt werden können, dass Gesetzentwürfe, die sie nicht schnell annehmen lässt, durch Notverordnung erlassen werden.'

[4] Article 18, (3) and (4). Kelsen considers, however, that this last provision would not apply to ordinances passed during the period of ninety days during which it was legal for the President and Government to rule without Parliament. He admits, however, that 'die Verpflichtung der Regierung, eine von ihr erlassene Notverordnung dem Parlament unverzüglich vorzulegen, bedeutet eine wichtige Einschränkung dieses ausserparlamentarischen Gesetzgebungsrechtes'. (*Jahrbuch des öffentlichen Rechts*, vol. xviii, p. 142.)

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642 643 646 cases of necessity and for purposes of defence.[1] But, as Kelsen points out, this safeguard was worthless from a legal point of view.[2]

642 643 701 The President was also made head of the army.[3] But this was rather a change of emphasis than an actual increase in presidential power. It may be noted, however, that the reforms gave more power to the army. Hitherto it had only been empowered to restore order if so requested by the civil powers. It was now permitted to step in, in case of emergency, without being so requested.[4]

642 Another marked tendency in the 1929 reforms was towards centralization. But although it was coming to be realized with increasing clearness in responsible circles that Austria could not afford the luxury of provincialism—either from a moral or from an economic standpoint—yet as Kelsen had pointed out two years earlier, this tendency was, if anything, gaining ground,[5] in spite of the increased centralization introduced by the 1925 reforms, and in spite of the general realization that provincialism must make the possibility of an *Anschluss* ever more remote.

642 646 It was also intended to introduce changes as regards the organization of the Upper House, which, it was generally admitted, had not worked satisfactorily.[6] The *Heimwehr*, the *Landbund*,[7] and certain other right-wing sections of Christian Socialist opinion were anxious to introduce the corporative principle, either wholly or in part. And a proposal was for a time considered by which the nine Provinces were to be repre-

[1] Article 18, (3).

[2] 'Da das Vorhandensein dieser Umstände zu beurteilen, dem Ermessen der verordnenden Instanz selbst überlassen bleibt, und dieses Ermessen auch von dem seiner Überprüfung zuständigen Gericht—dem Verfassungsgerichtshof—nicht wirksam überprüft werden kann.' (Op. cit., p. 141.)

[3] Article 80, (1). [4] Article 79, (2).

[5] 'Durch die politische u. staatsrechtliche Entwickelung seit dem Umsturz hat sich die Stellung der Länder so gekräftigt, haben sich die durch die Landesregierungen repräsentierten politischen Machtcentren in den ehemaligen österreichischen Krönlandern so sehr verwurzelt, dass an eine Umwandlung Österreichs in einen Einheitsstaat ernstlich nicht mehr zu denken ist.' (*Frankfurter Zeitung*, 4 April 1927.)

[6] Seipel, article in *Reichspost*, 19 October 1929.

[7] *Die Stunde*, 21 September 1929.

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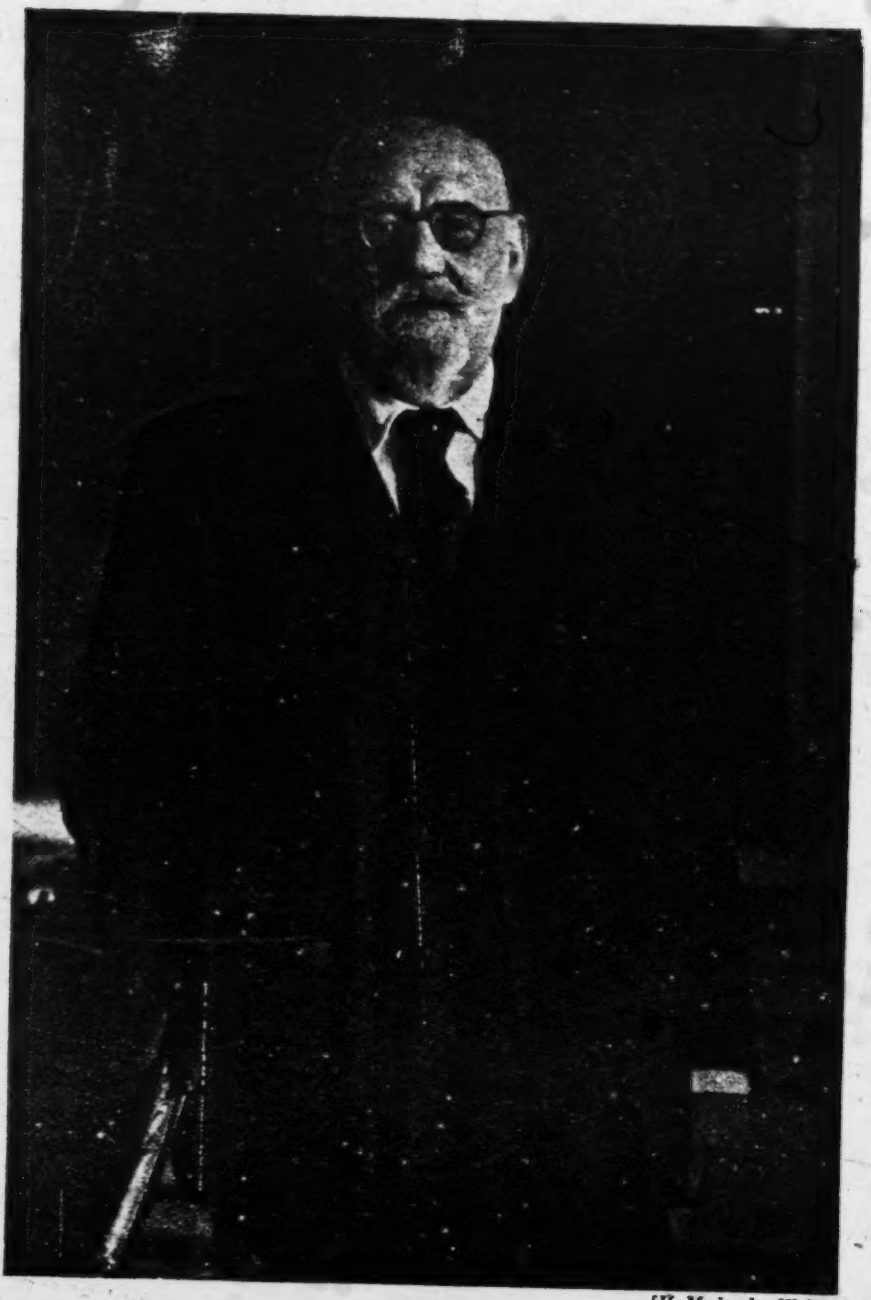

[H. Madensky, Wien I

DR. KARL RENNER

[facing p. iii]

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government of Lower Austria, shortly afterwards becoming President of the Austrian *Bauernbund* and Governor of Lower Austria. At the same time he improvised measures for the relief of famine in Vienna. The Russian military authorities were persuaded to put two or three dozen lorries at his disposal. The drivers reported to him every morning, and, accompanied by volunteer civilian guides, were sent out into the countryside to collect supplies. In the evening they returned, and the food was handed over to the municipality for distribution. Figl was specially qualified to perform this service, because he had the confidence of the peasants.

While these developments were taking place in Vienna, a series of events had occurred in the country south-west of Vienna which were to have a decisive influence on Austrian history.

In the village of Gloggnitz, at the foot of the beautiful Semmering Pass, Dr. Karl Renner, senior and most respected member of the Austrian Socialist Party, had been living since his enforced retirement from active politics in 1934. In April 1945 he was seventy-four years old, but still strong and active in body and mind. Gloggnitz was not far from Köszeg, the point on the Hungarian border where the Russian troops first entered Austria. It was therefore one of the first villages to be occupied. Dr. Renner, having advised his fellow villagers to stay where they were and not run away from the advancing army, was disappointed at the rough house-searchings to which all of them were subjected. On Easter Tuesday, therefore, two days after the arrival of the Russians, he took his stick and, without bothering to put on a coat, walked down the street in search of the local command post, in the hope of convincing the officer in charge of the villagers' peaceful intentions and preventing further mistreatment. He was directed to the next village, a mile and a half away, and there by a fortunate chance found some officers who knew his name and past record. He was sent by lorry to higher headquarters at Hochwolkersdorf, where he was received with great respect and spent the evening in discussion with senior staff officers.

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Dr. Renner had entered the lorry under protest. He had left home with the intention of visiting the village command post and then returning. He was therefore concerned both about his family and about their anxiety for him. Nevertheless the evening's conversation and the talks that followed the next day with officers of even higher rank were of great significance for the future. The Russians agreed to assist Dr. Renner in taking the measures necessary for the re-establishment of democratic government in Austria. They assured him that they stood by the Three Powers' declaration at Yalta and that Austria, when liberated, would be free to solve its political and economic problems according to the people's will. Dr. Renner for his part made clear that there could be no question of his acting as a Russian agent. If he were to form a government his commission must come from the Austrian side. It was arranged that he should be given full facilities for his preliminary work first in Gloggnitz and later at some suitable place nearer Vienna.

After a few days at home, during which he worked on a series of declarations and pamphlets addressed to the Austrian people, Dr. Renner and his family were taken to a country house near Wiener Neustadt. Then, to their surprise, they were driven on the 21st of April direct to Vienna.

It was a remarkable accident that brought Dr. Renner into contact with the Russian authorities within a week of their entering Austria. His name was known to educated Russians as a pioneer Socialist thinker on the problem of nationalities, whose writings had influenced Stalin, while he was preparing his essay on *Marxism and the National Question* in Vienna at the beginning of 1913. But that he should have come upon Russian officers, in a remote village at that particular time, who realized his potential importance, was a stroke of fate, the full consequences of which it is impossible to assess. What would have happened had his meeting with the Russian leaders been delayed for some weeks can only be a matter of conjecture.

By character and experience Karl Renner was by far the best qualified man to undertake the formation of an Austrian

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643 government in the critical spring of 1945. He was sufficiently far to the Left in his opinions to be acceptable to the Russians and yet sufficiently moderate to be respected by all parties. He had been first Chancellor of the First Republic, and therefore had unrivalled knowledge and experience of post-War problems. He had also been President of the Austrian Peace Delegation at St. Germain. Furthermore, he combined strong political convictions with flexibility of method and willingness to compromise, a mixture of qualities which were to prove invaluable during the coming years.

[642] When he arrived in Vienna, Dr. Renner found, to his pleased surprise, that the political parties had already combined in many municipalities, including the capital, to set up provisional administrations. In Vienna General Körner and his [204] deputies were established at the Town Hall. Representatives of the three parties had joined together to found a new newspaper, *Neues Österreich*, the first number of which appeared on the 23rd of April, after the city had been without a newspaper for three weeks. A first meeting of trade unionists had also [447] taken place, which led to the foundation on the 27th of April of an Austrian Federation of Trade Unions on an all-party basis. Dr. Renner altered his plans to suit the unexpectedly favourable conditions. Calls to action were not required so much as leadership, organization, and the definition of objectives.

643 The Russians installed Renner in a house in the suburb, 648 Hietzing, that was large enough to accommodate his family 642 and small staff and allow conferences to be held on the main floor. The day after his arrival, the Russian colonel who was acting as liaison officer arranged for leading personalities from the different political parties to come and visit him. The first to arrive was Leopold Kunschak, to whose attitude Renner attached great importance. He was followed by General Körner and Adolf Schärf; the Communists, Ernst Fischer and Johann Koplenig, and others. Negotiations progressed so rapidly that within two or three days agreement had been reached on the membership and constitution of the Provisional

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Government. On the 27th of April, Dr. Renner as Chancellor designate and his proposed colleagues were received by Marshal Tolbuchin, who in the name of the Red Army gave the Government *de facto* recognition and promised it support.

The same day a proclamation was issued in the name of Renner and representatives of the three political parties, which contained a formal Declaration of Independence. It announced the restoration of the Austrian Republic, the nullification of the *Anschluss*, and the proposed establishment of an all-party provisional government with full legislative and executive authority, subject to the rights of the occupying Powers. On Sunday the 29th of April members of the new Government assembled in the council chamber of the Vienna Town Hall, and, after an exchange of speeches between Burgomaster Körner and Dr. Renner, proceeded, accompanied by the City Senate, to take formal possession of the half-destroyed parliament building nearby. There they were greeted by the Russian Commandant of the city; and Dr. Renner, among the ruins and the rubbish that there had been no time to clear away, reaffirmed his faith in the future of free Austria and the democratic resolve of his colleagues and himself. The ceremony concluded with the reading of a declaration to the people of Austria announcing the establishment of the Provisional Government and exhorting all citizens to play their part worthily in the restoration of the country.

The authority of the new Government extended in fact only to Vienna and those areas of Lower Austria, Burgenland, and Styria that the Russians had already freed. Provisional governments were established in the rest of Austria, as the liberation proceeded, and political authority was exercised either by the military governments of the occupying Forces or by Austrian Provincial Governments set up or approved by them. In Carinthia an all-party Government had been formed on Socialist initiative before the British arrived. In the Tyrol, the Resistance Movement, which had already achieved so much, established an Austrian Provisional Government Committee in the face of Nazi opposition: the American forces, whom the

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III

Provisional Government

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DR. RENNER'S task was to form an interim government 'broadly representative of all democratic elements in the population'. Those were the terms of the Yalta programme for the liberated peoples of Europe, and it was in that task that the Russians had promised to help him. His first problem was how to make the Government representative under existing conditions. Elections for some months were out of the question. When he arrived in Vienna, fighting was still going on, and, when opposition ceased, Austria was divided into four separate zones under the different armies of occupation. The country was almost entirely without means of communication, and the great majority of able-bodied men of military age were prisoners of war.

During his first conversations with the Russians Dr. Renner had proposed that, as President of the last National Assembly dissolved by Dollfuss in 1934, he should call together its surviving members or their official substitutes, replacing the Fascist representatives by Communists. But he finally decided against this plan. It would be a complicated, somewhat arbitrary procedure and would take time, when the circumstances demanded that a provisional government should be established immediately. As the main political parties were already re-forming under recognized leaders in Vienna, it would be more satisfactory if the party leaders themselves and their nominees combined to make up a government. Under the Austrian system parliamentary candidates were normally nominated by the party machines, so that the deviation in this case from the ordinary practice would be formal rather than real.

To ensure that the government chosen by this method should really have the confidence of the people great care was 642

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642 taken in its composition. No government was ever set up that more closely deserved to be called a coalition. There were representatives of all parties at each level of the administration. Of the thirteen main posts, four went to Social Democrats, four to the Austrian People's Party, three to Communists, and two to non-party men. In addition, in all Ministries, except the Ministry of Finance, two Under-Secretaries were appointed from the parties to which the Minister did not [645] belong. Dr. Renner himself, as Chancellor, was assisted by three Secretaries without portfolio, who with him constituted the Political Cabinet Council. This body, in addition to acting as an inner Cabinet, temporarily formed the supreme executive authority and carried out the duties previously performed by the President of the Republic. Its members, apart from the Chancellor, were Leopold Figl, Adolf Schärf, and Johann Koplenig.

The whole Government, including the Under-Secretaries, formed the Cabinet in the broader sense. From the point of view of taking executive decisions, this body was inconveniently large. But, on the whole, its size was an advantage. As there was no Parliament, it was executive and legislature rolled into one, and had to perform the functions of a Cabinet and of both parliamentary Chambers. It was therefore a good thing that it should be as representative as possible. Confidence in it as a legislative body was further increased by the principle of unanimity that governed its decisions.

• 643 663 In view of the severity of the party conflict in Austria between the Wars, it may well cause surprise that the three parties should have collaborated so closely and successfully during the seven months' life of the Provisional Government. It was due partly to the personality of Dr. Renner. By sheer force of character and political experience he exercised considerable influence over his colleagues in the Government. He was one of the few Austrian statesmen since 1918 who were able to combine lifelong adherence to a political creed with magnanimity and the ability to look beyond party to the needs of the country as a whole. In 1922 he wrote, 'Passion is

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a bad political counsellor', and during the remainder of his life he acted in accordance with this precept. In a speech delivered a few days before his death he spoke of the usefulness of political differences, but emphasized that from the clash of opinions the right course should emerge and common action follow: party, the part, must not usurp the role of the general welfare, which is the whole.

Common suffering at the hands of the Nazis made a great difference also. Political rivals came out of prison as close personal friends addressing one another by the familiar '*du*'. As Leopold Figl said, in the concentration camp a man did not ask his fellow-prisoner what party he belonged to, but whether he was an Austrian. Brave men endured hardship and torture in order not to betray other members of the Resistance, even if they did belong to another party. Adolf Schärf has described how by chance Felix Hurdes, once in a neighbouring cell to his own, was cross-examined about their contacts with each other. However strong party rivalry might subsequently become, such incidents as these could never be forgotten by those who had experienced them.

Another individual who contributed greatly to the success of the Provisional Government by his action and his example was Leopold Figl. In 1945 he was only forty-three, and he had none of Dr. Renner's experience of Parliament and national politics. But he had great integrity and boundless energy. As a member of the Political Cabinet Council, President of the *Bauernbund*, and Governor of Lower Austria, he was rapidly becoming the most significant figure in the People's Party. His loyal and consistent collaboration with Dr. Renner was therefore of great importance. It meant that the leaders of the two main parties, whose rivalry had been so disastrous in the past, were now working together for the good of Austria.

Besides the strong central government that Dr. Renner and his colleagues provided, the country needed a new administration. After the *Anschluss*, Vienna's functions as the administrative centre of Austria were transferred to Berlin. The city ceased to be a capital and became a province and, so far as the

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642 German Government since the *Anschluss*. They could not be repealed *en masse* without causing great confusion. A further constitutional law was therefore passed, that was also to be effective from the 1st of May, stating that all laws and decrees incompatible with a free and independent Austrian State and with a genuine democracy were annulled. The Government would, after investigation, give notice of those that were invalid. The remainder would for the time being have the force of Austrian law.

With these constitutional acts as a basis, the Provisional Government proceeded with astonishing speed to issue the wide range of laws and decrees necessary for the reconstruction of the Austrian State. When the Government was recognized by the four occupying Powers on the 20th October, over 200 had been promulgated.

643 This remarkable legislative achievement was due very largely to the energy, ingenuity, and legal capacity of Dr. Renner himself. The unanimity rule made the legislative process more difficult. But the Chancellor declared on a number of occasions that he would assume a resolution had been approved, unless its opponents within the Cabinet were prepared to back their opinions by resignation. Being accustomed to night-work himself, Dr. Renner would often call Cabinet meetings for nine o'clock in the evening. The less controversial measures would be taken first, and by about midnight, when most members were suffering from hunger and exhaustion, the more difficult matters would come up for discussion. In those days lack of food was a serious consideration in the lives of all Viennese, and it was customary for wine and sandwiches to be served at the end of Cabinet meetings. Critical faculties were damped, therefore, and the democratic process was considerably eased by Dr. Renner's arrangement. The Chancellor would then sit up far into the night drafting the legislation based on the Cabinet's decisions.

663 The administrative tasks that confronted the Provisional Government were endless. It would take many months before anything like normal civic life could be restored.

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to the Russians, and he had shown the Russians to Central Europe. The first error could be rectified by ensuring that the occupying troops did not stay long enough in Central Europe to feel at home. But the results of the second mistake will take many years to eradicate.

In Austria, in the spring of 1945, the Russians had the game in their hands, and from then on they played it very badly. A great opportunity was missed, as in the rest of the world, where a moderate and enlightened Communist policy, following Russia's heroic struggle against Germany, would have been irresistibly attractive to millions.

The results of the election became known on the 24th of November. Two days later the Provisional Government resigned. The Political Cabinet Council accepted its resignation, entrusted it with the temporary administration of public business, and at the same time called on the Austrian People's Party to nominate someone to form a government. The choice fell on Leopold Figl, who had for some months been Chairman of the party and, like Dr. Dollfuss, owed his influence in the party and the country to his work for the *Bauernbund*. During the election campaign all three parties had declared that they were in favour of further collaboration after the election. A Coalition Government was therefore formed in which there were eight representatives of the People's Party, six Socialists, and one Communist. The approval of the Allied Council was given on the 18th of December.

On the following day the new National Assembly met for the first time, and Dr. Renner presented a report on the work of the Provisional Government. At the same time, the Second Chamber, known as the Federal Assembly, which had been elected by the Provincial Chambers according to the constitution, held its first sitting. On the 20th of December the two Houses met in joint session and elected Dr. Renner Federal President by 204 votes out of 205, one member abstaining. The new President's first duty was to swear in the members of the new Government.

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It was a fitting gesture of recognition that a Socialist should have been chosen President by a virtually unanimous vote after an election in which the Right Wing had headed the polls. At the beginning of April Dr. Renner told the Russians that he had been preparing himself for the time when Austria would need him again. He rose to the opportunity with distinction, when it came. He gave order, when there was danger of anarchy, and he gave unity, when division threatened to persist. Throughout the seven months' life of the Provisional Government there was no strike and no political breach of the peace. Above all, Dr. Renner provided an example of political tolerance and co-operation in contrast to the conflict of the past. This set the tone for the reborn country in the post-War years.

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Probably the most important result was to make possible greater freedom of expression during Cabinet meetings.

The life of an Austrian Parliament is limited by the constitution to four years. Elections were therefore due to be held not later than November 1949 and actually took place on October the 9th 1949. There were two main differences between the political situation then and in 1945. First, the number of electors had increased by over 940,000. Of these more than 400,000 were 'less implicated' Nazis, to whom the franchise had been restored the previous summer, and the remainder were either returned soldiers or persons who had acquired Austrian citizenship since 1945. Secondly, a number of new parties had entered the scene. Of these only two, the Union of Independents and the Democratic Union, succeeded in polling more than 10,000 votes, but a new fluidity and vitality in political life were indicated by the fact that at one stage during the year over forty new parties had announced their existence.

In the elections 97 per cent of the qualified voters went to the polls, compared with 94 per cent in 1945. The People's Party increased its votes by 244,354, the Socialists by 188,626, and the Communists, reinforced with some extreme Left-Wing Socialists, by 35,809. The Union of Independents obtained 489,273 votes and the Democratic Union 12,059. As regards seats, the People's Party got 77, the Socialists 67, the Union of Independents 16, and the so-called Left Block 5.

The election was significant for two reasons. It justified the Coalition Government by showing that it substantially represented the people's view. At the same time it made clear that there were about half a million people who were dissatisfied with the programme of the two main parties and the Communists. They were likely to prove an important political force in the future.

On the 31st of December 1950, Dr. Renner died, only a few days after the celebration of his eightieth birthday. His greatest achievement for post-War Austria had been as Chancellor in the Provisional Government. But while Federal President during the next five years he had been a wise and stabilizing

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643 influence in Austrian political life and had won general respect as a dignified, impartial, and yet forceful head of the State. The tribute paid to him by the Chancellor the day after his death was of special value, coming from one whose political views differed widely from his own. During the five years of his presidency, said Figl, he was 'a teacher and friend, who stood above political parties, a man to whom one never went in vain for advice'.

643 666 In January 1951 Parliament decided unanimously that the new Federal President should be elected by the people of Austria, as laid down in the constitution of 1929, and not in accordance with the special procedure adopted in 1931 and 1945, when the election was carried out in a joint session of the two legislative chambers. The two main parties chose their candidates well. The People's Party's choice was Dr. Heinrich Gleissner, the much-respected Governor of Upper Austria, and the Socialists', General Körner, the popular and venerable mayor of Vienna. The worst criticism that could be made against each candidate was of comparatively minor importance. Gleissner had been a junior member of Dollfuss's Government. Körner was seventy-eight years old and had only accepted candidature reluctantly out of a sense of duty.

A presidential candidate requires a clear majority of votes to be elected. If in an election no candidate has the required majority, a further contest is held between the two candidates with the most votes.

For the first election, which was held on the 6th of May, the Communists put forward Gottlieb Fiala as a candidate, and Dr. Burkhard Breitner stood as a non-party independent. Breitner was a popular, somewhat eccentric Innsbruck surgeon with no real political experience and no serious claims to potential statesmanship. Gleissner obtained 1,725,695 votes, Körner 1,682,768, Breitner 662,559, and Fiala 220,012.

In the second election, on the 27th of May, Körner was elected President with 2,172,106 votes against Gleissner's 2,004,290, having evidently secured the Communist votes

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and a greater measure of independent support than was generally expected.

During the first campaign efforts were made with some success to keep the party aspect of the contest under control. But the second, through no fault of the two candidates, involved a good deal of party bitterness and personal animosity. Fortunately this lapse from the best post-War political standards was made good by the example of the new President and his chivalrous defeated rival. When the election result was announced, Gleissner at once telegraphed his congratulations and good wishes to Körner. President Körner himself responded soon after his election by visiting Linz, the capital of Upper Austria. At the official ceremony of welcome he announced that he had shown his personal esteem for Dr. Gleissner by addressing him with the familiar '*du*' as they drove together from the station.

After its success in the two general elections, the People's Party received a severe shock from its defeat in the presidential election, all the more so because its candidate was a strong one. As a result, a thorough re-organization of the party was carried out. Changes were made in the main party officials and in the party's representatives in the Government.

More significant for Austria as a whole was the increase in the independent vote. Without doubt many of those who had voted for the Union of Independents in 1949 and Dr. Breitner in 1950 were disgruntled ex-Nazis, whose opposition was mainly negative. The attitude to the Nazi problem of the Austrian Government and people in general was sensible, broad-minded, and Christian. Except in the worst cases they wanted as soon as possible to let bygones be bygones. They were unwilling to drive into implacable discontent the disillusioned and repentant party members who were ready to be converted in 1945 and had only become Nazis originally through a mixture of fear and economic necessity. Dr. Koref, Burgomaster of Linz, spoke for the great majority of Austrians in July 1946 when he said: 'We are all agreed that we should not use Nazi methods to bring about the last liquidation of

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that the Union of Independents was not a '*staatsbejahende*' party—that is to say, a party taking up a positive attitude towards the State. Out of deference no doubt to the President's age and past record, the two main political parties made little of this constitutional lapse. But the Union of Independents, with good reason, repudiated the statement emphatically.

Outside the People's Party Executive the full circumstances in which Figl gave way to Raab can at present only be a matter of conjecture.[1] But the nomination of Raab indicated the direction in which events were moving. The new Chancellor is a leading industrialist who was a member of Schuschnigg's Cabinet just before the *Anschluss* and has been President of the Austrian Business-men's Association and of the Chamber of Commerce and Trade since the War. He became Chairman of the People's Party during its reorganization after the presidential election. While the occupation lasts Austria still needs a coalition, especially since Stalin's death has renewed hopes that a treaty will be signed. But Raab is a typical Right-Wing leader and temperamentally less fitted for compromise than his conciliatory predecessor. His appointment marks a stage in the return to normal party politics.

From the point of view of Austrian democracy the political truce has already lasted too long. The discipline and restraint a coalition imposes are a good influence from time to time, but over a period of years they tend to be transformed into less desirable qualities. Compromise, when it becomes a habit, means loss of vitality, and in the long run no political party can survive without the stimulus of competition.

Yet the Coalition has served Austria well, and in a complex and critical situation the country has been fortunate to have it. It has given stability and continuity to Austrian policy at a time when weakness or vacillation might have been fatal. Much credit is therefore due to those chiefly responsible for its survival; to President Renner, President Körner, and Dr. Figl himself.

Since Austria became a republic no statesman has approached

[1] The above was written on the 7th of April 1953.

3: Hiscocks G-4, 5 (1946-1949) 1955 EK1 Austria EK1

643 Figl's record of remaining Chancellor for over seven years, and no Chancellor has gained so much respect and support both from the Right Wing and from the Left. There was a large element of accident in the events which caused a young and inexperienced politician to become head of the Austrian Government in 1945. But the choice of Figl was justified by his record in office. He provided the qualities of character and statesmanship that an unusual situation demanded, and his name will always be associated with a critical period in Austrian history in which he guided his country well.

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DR. FIGL AT 10 DOWNING STREET, LONDON, MAY 1952

[facing p237]

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valuable and unique traditions. Diplomatic entanglements and power politics are inappropriate for a country of 7 million inhabitants in a highly vulnerable position. The political aim of Austrian statesmen is to justify Austria's independent existence by maintaining a healthy economy and social order and by setting an example of good world-citizenship.

Austrians believe that their country's best hope for the future will be as part of some effective international order. Their political leaders have stressed this point repeatedly since the Second World War, just as they have been the consistent champions of Austria's mediatory and conciliatory role.

No one has had a greater influence on the development of the Second Republic than Dr. Karl Renner, who was a convinced internationalist of long standing. Before 1914 he had advocated a federation of self-governing nations under the Habsburgs, and considered that the dissolution of the Empire would mean the triumph of reactionary nationalism. The future belonged, in his view, not to the nation State but to the supra-national State comprised of antonomous units. In accordance with his general outlook he described Austria on his return from St. Germain to Vienna in 1919 as 'an autonomous province of the League of Nations' which relied on the League as the guarantor of its independence. In a speech during the opening session of the National Assembly, on the 19th of December 1945, and again on his eightieth birthday, Dr. Renner expressed his faith in the idea of the United Nations. In 1948, he wrote: 'The forces which make history move towards a world economy and a world State, and in this direction Austria is glad to go.'

Dr. Renner had considerable influence on the politicians with whom he worked during the last years of his life. His sentiments towards the Habsburg Empire were echoed by the Socialist, Dr. Koref, who said in Parliament in 1952: 'The Austrian people are predestined to take part in international understanding because they have within them the heritage of a small version of the United Nations.' Dr. Figl repeatedly declared his belief in an international order.

Karl Renner, the late federal president, who died in 1950, occupied himself particularly with social-political questions. Despite his age and professional obligations he published during the last years Die neue Welt und der Sozialismus, 1946, Vom liberalen zum sozialen Staat, 1948, besides numerous social-political contributions. 643● 816

The minister of foreign affairs, Karl Gruber, who also lectures on national economy as "Privatdozent" at the University of Vienna, published Voraussetzungen der Vollbeschäftigung, 1946, and Die Zusammenhänge zwischen Grösse, Kosten und Rentabilität industrieller Betriebe, 1948. 645 816

From this it may be seen that the Austrian national economists, whether they be theorists or practical experts, provide a strong unity of theory and practice. Teachers of universities (especially of the University of Vienna), are frequently entrusted by the government with important economic tasks which they perform within the sphere of a higher public function or upon an economic level. 815 816

Besides the colleges, also the Bundeskammer der gewerblichen Wirtschaft (a chamber organization), especially the Chamber of Commerce, Vienna, and the Austrian bureaucracy (particularly the Ministry of Commerce and the Ministry of Finance) have leading economists in their employ.

This synthesis of science and practical experience also accomplished in the postwar years the solution of various problems, no matter whether they concerned questions of currency, banking and credit, production and investment policies, and, in connection with the Marshall Plan, the drawing up of economic programs, foreign trade, foreign exchange and payment balances. From the above it may be seen that the younger generation of Austrian economists in ministerial service has been able to master the problems arising with the initiation of the Marshall Plan on the strength of its thorough theoretical schooling.

Aside from world politics, the arts 814

and sciences found in this gifted ruler,[1] himself a talented writer and thinker, an understanding patron. Albrecht Dürer and Peter Fischer enjoyed his favours and humanism found a home in Vienna.

> The peasant walks behind his plough in peace,
> While in the towns the workmen ply their trade
> And industries and guilds lift up their heads.
>
> (Ottocar, Rudolf, Act III)

After the death of Maximilian, his grandchild Karl V took over a vast empire. He inherited Spain, Burgundy and the old Hapsburg possession; he was elected King in Germany and later crowned Emperor at Bologna. In 1521 he divided his Empire with his brother Ferdinand, to whom he gave the Austrian Duchies. From this time onwards one finds references to an Austrian and to a Spanish line of the House of Hapsburg. The reign of Karl V was filled with internal German conflicts arising out of the start of the reformation. Constant wars with France and Turkey left him no peace. Karl V was another of the strange, gloomy and apathetic figures to be found among the Hapsburg rulers. His plans to win back for the Imperial Crown its ancient power and splendour and to preserve the unity of the old Catholic faith were brought to naught, partly on account of the egotism of the Lutheran Princes but also because of their devotion to their faith. Karl thereupon renounced the crown and retired to the monastery of San Yuste in Spain. A lonesome and frustrated figure, he turned his back on that life which would have made him ruler of a world Empire.

1519 to 1521. The Portuguese Ferdinand Magellan first circumnavigates the world. 648 643

1526. Bohemia and Hungary pass legally into the possession of Austria.

1528. Under Henry VIII, the first steps are taken which led up to the separation of the English Church from Rome.

1536. Death of Erasmus of Rotterdam.

> There order dwells, there order has its home
> While here confusion lives and vain caprice.
>
> (Family Strife, Rudolf, Act I)

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In the meantime Ferdinand was ruling prudently and ably in Austria. The new doctrines from Wittenberg quickly penetrated to Austria, where they spread rapidly. Soon appeared the first signs of a clash of beliefs which was to prove particularly significant for Austria. Efforts to bring about religious reforms brought with them social discontent, which manifested itself particularly in peasant revolts, and in the formation of the sect of the Baptists.

1540. Foundation of the order of Jesuits. [669]

1545 to 1563. Council of Trient. The Catholic Church grows more powerful and the Counter-Reformation begins. 648

In 1526, Ludwig II, King of Hungary and Bohemia, lost the day and his life as well in the battle of Mohacs against the Turks. Under the Treaties

1 [i. the Emperor Maximilian. -- Analyst]

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and here his "Don Juan" was produced. Nowadays this historic stage is at the disposal of young actors of the Reinhardt School.

Something quite unique for sightseers is the Wagenburg, or carriage park. Its showpiece is the eight-horsed Coronation Coach of the Emperor Karl VI, fashioned in the shape of an enormous gold crown and supposed to be the most beautiful coach in the world. Its interior is decorated with valuable paintings of the Rubens School. This coach was used at seven Hapsburg coronations, the last of them being that of Emperor Karl, crowned in Budapest during the First World War in the year 1916.

351 Wide gravel parks and avenues conduct one to the lovely grounds of the Palace, a compromise between two art trends—born of the enthusiasm for nature of Rococo and the joy in antiquity which characterised Baroque. Figures taken from legend and ancient history, the rich statuary of the park, reflect the living spirit of those times, commemorating many historic events. Tall, formal hedges clipped in the French manner flank the wide flowerbeds, running diagonally towards fountains with their surrounding statues.

In the far distance are the Neptune Fountain, the "Roman Ruins" and the Kaiserbrunn with the "Beautiful Fountain" from which Schönbrunn takes its name. On the other side are the Palm House and the extensive Zoo. Half way to them a zigzag path winds up to the heights of the Gloriette, a light and decorative structure with slender columns and stone roof through the round arches of which the skies look down.

344 From here we get a fine view of the wide-spread city, an attractive

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The man who is next door to Russia

344 I HAD NOT been at the Ballhausplatz in Vienna since the last months of Chancellor Schuschnigg. Bombs have since destroyed the rooms as I knew them. They have been restored in modern Viennese splendor.

344 ●643 Here, Chancellor Julius Raab received me in the vast room paneled in precious woods. From the high ceiling hang two crystal chandeliers. The Austrian eagle is inlaid on the wall behind the chancellor's desk, gold-embossed on his high-backed leather chair, and woven into the curtains before the three big windows. It looks symbolically like a phoenix risen from the ashes.

Gone are the days when the Ballhausplatz ranked with the Quai d'Orsay or Downing St. Yet, although Austria has ceased to be a great power, her geographical position as a key country kept her statesmen in the world limelight—Seipel, Dollfuss, Schuschnigg.

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Since the end of the 2nd World War, an avowed aim of which was to restore an independent Austria, an Austrian chancellor has resided in Metternich's palace. For eight years he was an engineer of peasant stock, Leopold Figl. This summer he made way for the leader of his party, another engineer, this time of solid middle-class background, Julius Raab.

The chancellor led me to a comfortable conference corner at the far end of the room, where a green velvet settee and easy chairs were grouped round a low table. The chancellor promptly lit one of those long, thin, black cigars called "Virginias," so popular among Austrians.

He is tall, big boned, massively built; his nearly square head has a low-set jaw. He is 62, but his thinning hair is gray only at the temples. He has the appearance of the typical Austrian burgher: solid, from his sober suit down to his boots, but *gemütlich*. There is great

643 shrewdness behind his narrow-lidded eyes, but when his slow smile breaks through, it relaxes the noncommital face.

Raab comes from St. Pölten, the nearest big town to Vienna, 50 miles to the west. His people have been architects and builders there for generations; one of three brothers (the eldest still runs the family business), Julius never had any other ambition himself as a youngster.

At the Benedictine grammar school of Seitenstetten he excelled in mathematics, and from there he matriculated to the Technical university of Vienna. The 1st World War interrupted his student years. He served with distinction on the Russian and Italian fronts, won the Big Silver Medal for bravery, a decoration which is rarely given to officers. Amidst the utter disruption of the army in November, 1918, he managed to bring his company back from the front in perfect order.

The collapse of the empire struck Vienna with fearful impact. Ex-Lieutenant Raab felt the loss of the great Hapsburg tradition deeply. He had returned to his studies and the Students' Representative body elected him as their spokesman to the university authorities.

Even in high school, he had been interested in sociology. In his first prewar Vienna years he joined the group round Monsignor Schaurhofer, fired by the new social teach-

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ings of Pope Leo XIII's encyclicals. Now, in the dark postwar misery, he took an active part in Students' Help, organized by Professor of Theology Innitzer, now Cardinal Archbishop. They provided free meals and distributed clothes. Those "terrible years," as he calls them, have impregnated the conservative background of his home with a strong social consciousness. Even later, when he emerged as a leading economist, he never lost his early understanding of the struggle of the small people.

After graduating as Engineer (*Ing.* is an academic title in Germanic countries, used like our *Dr.*) Ing. Raab went into the family business. At the same time, he turned to politics, a field that interested him from early youth: his mother's brother was a distinguished member of the imperial Reichstag. In 1927, his home town elected him as their Christian Social deputy to Parliament. "For the first year," he recalls, "I sat back and listened, to learn the ropes." He had an unbounded admiration for the chancellor, Monsignor Ignaz Seipel, "the greatest statesman Austria ever had."

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Austrian politics became so bitter in those years that every big party had a military organization. Once the Socialists armed themselves, Prince Starhemberg founded the anti-Socialist *Heimwehr*. Raab joined it at the instigation of Seipel, who wanted him to work inside

[665] 643 the Heimwehr against Starhemberg's fascist tendencies. Inevitably, Raab and Starhemberg fell out. Raab left the *Heimwehr*. The communists call Raab a fascist, but that is stupid.

After Parliament was dispensed with under the Dollfuss-Schuschnigg regime, Raab won high repute as founder, organizer, and leader of the *Gewerbebund*, a nation-wide organization of all the trades, crafts, and industries. When Chancellor Schuschnigg made his last desperate attempt to stave off Hitler, he rallied the biggest names in the land around him. He made Raab minister of trade and transport.

After Hitler annexed his native Austria to the *Reich*, Raab was, of course, out in the wilderness. He was never personally persecuted, but he could not risk the family fortune by rejoining their old firm, and he started out on his own, in Vienna. So deep was nazi hatred towards Raab that at the outbreak of the 2nd World War he was formally declared unworthy of wearing a German uniform!

727 642 645 The Russians entered Vienna in the spring of 1945. Marshal Tolbukhin ordered a provisional government in which the Catholics, Socialists, and communists had to share every ministry. Builder Raab became secretary of state in the ministry for reconstruction, but was vetoed by the Russians as a minister in Figl's cabinet.

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643 441 Once more Raab turned his talents to economic fields. He created the Austrian *Wirtschaftsbund,* which reorganized Austrian economy and constituted a federal Chamber of Commerce, of which Raab was first president.

643 665 Raab was one of the founders of the *Oesterreichische Volkspartei,* the (Catholic) Austrian People's party, a deputy since 1948 and its "strong man" from the start. His political position was consolidated when the People's party elected him as their *Parteiobmann,* or leader, in 1951.

In the 1953 general elections, the OVP did not do so well as the Socialists. The party decided that a change of prime minister was needed. A new one, it thought, would more likely get maximum concessions from the Socialists in the coalition government. As things stood, with Catholic and Socialist seats nearly balanced, the OVP could have got a majority with the aid of the small Independent party. But realist Raab holds that in the present difficult international situation, only a strong government of the two biggest parties can achieve that primordial aim, restoration of full Austrian sovereignty.

643 While I was with the chancellor, the clock in his room played a gay carillon to strike the full hour. It did not disturb him. He admitted placidly that he has no ear for music. He never goes to opera or theater, those two glories of Vienna.

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He is an addict of Karl May (Austrian equivalent to Fenimore Cooper), in whose yarns he could indulge only on long journeys. At home, he has time to read nothing but politics and economics. For relaxation, he goes to the country; once there, he does not walk or fish, but just "sits in the sun."

He has the reputation of being a quietly determined man at ease with himself and with the world, who knows what he wants. Sparse of words, he hates discursive arguments. His own speeches are short and to the point; he hates phrases. He neither whitewashes nor glosses over. They tell you in Vienna that his greatest asset is his flair for sensing the opportune moment; his greatest drawback, a certain improvization as he feels his way ahead. In negotiations he uses humor as a weapon, both to clarify and to demand.

He still lives in the same three-room apartment in the Döbling district which he has occupied for years. His wife is an invalid, so he entertains only at the chancellery. Theirs is a happy though childless marriage.

Raab needs little sleep. He begins work at home long before going to his office, about eight every morning. On Sundays, he drives in his old Chevrolet to high Mass in the Schottenkirche, and then joins the *Stammtisch* reserved for his old party friends at a cafè on Ring Blvd. There he invariably listens

CHANCELLOR RAAB OF AUSTRIA

more than he takes part in the lively talk. 643●

Ten years have passed since the Allies, in a solemn Moscow declaration, proclaimed restoration of Austria's sovereign independence as one of their avowed war aims. Today Austria's position as a "liberated" victim of aggression is in many ways worse than that of the aggressor. 728

Chancellor Raab has taken the activation of his country's foreign policy personally in hand. Reduced to essentials his argument comes to this: Austria is not yet free only because the Allies fell out among themselves, and that is certainly not Austria's fault. After 99% agreement, the state treaty is being held up only as a Russian cold-war tactic (though, he remarked, "the cold war in Europe has never been quite ice-cold in Austria"). But why not withdraw, meanwhile, the occupation armies? Democratic Austria has proved that it can fully maintain law and order by itself, and there would still be the Allied high commissioners in Vienna to watch—no foreign armies are necessary for that. 643 648

Since last summer, relations with the Russians have greatly improved, though nobody can say whether as a reversal from Stalin policy or merely as political tactics. All the same, the belated Russian concessions do not go as far yet as those made much earlier by the Western powers. The chancellor has reacted

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643 to them with the attitude that one 648 should meet an outstretched hand with good will: "there is no sense in pulling the Bear's tail."

In that atmosphere, he presses Austria's many remaining complaints and aims. With a shrewd appreciation of possible Soviet touchiness at losing face, he bases his reasoning on the argument that it could not be interpreted as a Russian weakness if they give a civilized, democratic and orderly nation that full sovereignty which they solemnly promised.

643 Chancellor Raab stands firmly on the side of the West. He realizes the need of continued close collaboration with the U.S. He is a firm believer in a free economy. His economic platform is that of a firm currency and of stabilized price and wage levels; of creating

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643 fuller employment through increased production; and production helped by modifying crushing industrial tax burdens and home and foreign loans for industrial investment. Austria wants to produce and earn her living rather than be subsidized.

My hour with the Austrian Chancellor had come to a close. "The Austrians," he said, "are a lighthearted people who forget easily how bad things were and how much improvement has already been made. But they are good at heart."

Somehow, I felt that even the most intricate international and economic problems lose their forbidding aspect when you hear them explained in the homely dialect and with all the *Gemütlichkeit* of a good, sensible Austrian.